

APPENDIX

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ANTHONY NESBIT,

Plaintiff,

vs.

DEPARTMENT OF PUBLIC
SAFETY, STATE OF HAWAII, et. al.

Defendants.

WILLIAM KOTIS,

Plaintiff,

vs.

STATE OF HAWAII DEPT. OF
PUBLIC SAFETY, et. al.

Defendants.

CIVIL NO. 03-00455 SOM-KSC
(Consolidated)

**DECLARATION OF MONICA
LORTZ; EXHIBITS "A" - "B"**

CIVIL NO. 04-00167 SOM-KSC
(Consolidated)

DECLARATION OF MONICA LORTZ

I, Monica Lortz, FKA Monica Taira, under penalty of perjury, declare as follows:

1. I am the Unit Team Manager for Module 1 of the Halawa Correctional Facility employed by the State of Hawaii, and have been on the staff of Halawa Correctional Facility since 1999.
2. In 2002 and 2003 my position was Facility Classification Coordinator, as such I was involved with making the housing assignments of inmates, after their initial classification upon entering the Halawa Facility.

3. Per the attached transfer memo, Exhibit "A" I assigned Anthony Nesbit to Module C, close custody on February 12, 2003. My transfer memo contains no notation of gang affiliation or other special needs; therefore, it was my expectation upon making the assignment that Anthony Nesbit would be assigned to a cell in a "non-gang" quad within Module C.

4. Similarly by transfer memo, Exhibit "B", I assigned William Kotis to Module C, close custody on September 11, 2002. Exhibit B likewise contains no notation of gang affiliation or other special needs and it was my expectation upon making the assignment that William Kotis would be assigned to a cell in a "non-gang" quad.. Further Declarant sayeth naught.

DATED: November 29, 2005.


MONICA LORTZ